

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Clyde Devon Singletary)	C/A No. 4:20-cv-03864-SAL
)	
Plaintiff,)	
)	
v.)	
)	ORDER
Investigator Roger W. Tilton, Sheriff's)	
Department Florence County, Prosecutor Todd)	
S. Tucker, Solicitor's Office Florence County,)	
Cpl. Marolone Mack, Deputy Terry J.)	
Christmas,)	
)	
Defendants.		

This matter is before the court for review of the January 13, 2021 Report and Recommendation (the “Report”) of United States Magistrate Judge Thomas E. Rogers, III, made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C). [ECF No. 24.] In the Report, the Magistrate Judge recommends dismissing Plaintiff’s amended complaint with prejudice and without issuance and service of process because Plaintiff’s claims are barred by the statute of limitations and other grounds. *See id.* at 3–7. Attached to the Report was a notice advising Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. *Id.* at 3. Instead of objections to the Report, Plaintiff filed a letter objecting to having to file objections. [ECF No. 27.] The court provided Plaintiff one more opportunity to file objections and explained that his choice not to do so would result in this court reviewing the Report for clear error only. [ECF No. 33.] Plaintiff failed to file objections, and the time for doing so has expired.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this

court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The court is charged with making a *de novo* determination of only those portions of the Report that have been specifically objected to, and the court may accept, reject, or modify the Report, in whole or in part. 28 U.S.C. § 636(b)(1). In the absence of objections, the court is not required to provide an explanation for adopting the Report and must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citing Fed. R. Civ. P. 72 advisory committee’s note).

After a thorough review of the Report, the applicable law, and the record of this case in accordance with the above standard, the court finds no clear error, adopts the Report, ECF No. 24, and incorporates the Report by reference herein. As a result, Plaintiff’s complaint is **DISMISSED** with prejudice and without issuance and service of process.

IT IS SO ORDERED.

July 7, 2022
Florence, South Carolina

/s/Sherri A. Lydon
Sherri A. Lydon
United States District Judge